

required to meet only the applicable requirements of the 2008 edition of the NIST Handbook-44. Pursuant to the provisions of 5 U.S.C. 552(a), with the exception of the Handbook 44 requirements listed in paragraph (b), the materials in Handbooks 44 and 105-1 are incorporated by reference as they exist on the date of approval and a notice of any change in these materials will be published in the FEDERAL REGISTER. This incorporation by reference was approved by the Director of the Federal Register on March 8, 2011, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The NIST Handbooks are for sale by the National Conference of Weights and Measures (NCWM), 1135 M Street, Suite 110, Lincoln, Nebraska 68508. Information on these materials may be obtained from NCWM by calling 402-434-4880, by E-mailing [nfo@ncwm.net](mailto:nfo@ncwm.net), or on the Internet at <http://www.nist.gov/owm>.

(b) The following Handbook 44 requirements are not incorporated by reference:

*Scales (2.20)*

S.1.8. Computing Scales  
 S.1.8.2. Money-Value Computation  
 S.1.8.3. Customer's Indications  
 S.1.8.4. Recorded Representations, Point of Sale  
 S.2.5.2. Jeweler's, Prescription, & Class I & II Scales  
 S.3.3. Scoop Counterbalance  
 N.1.3.2. Dairy-Product Test Scales  
 N.1.5. Discrimination Test (Not adopted for Grain Test Scales only)  
 N.1.8. Material Tests  
 N.3.1.2. Interim Approval  
 N.3.1.3. Enforcement Action For Inaccuracy  
 N.4. Coupled-in-Motion Railroad Weighing Systems  
 N.6. Nominal Capacity of Prescription Scales  
 T.1.2. Postal and Parcel Post Scales  
 T.2.3. Prescription Scales  
 T.2.4. Jewelers' Scales (all sections)  
 T.2.5. Dairy—Product—Test Scales (all sections)  
 T.N.3.9. Materials Test on Customer—Operated Bulk—Weighing Systems for Recycled Materials  
 UR.1.4. Grain Test Scales: Value of Scale Divisions  
 UR.3.1. Recommended Minimum Load  
 UR.3.1.1. Minimum Load, Grain Dockage

*Automatic Bulk Weighing Systems (2.22)*

N.1.3. Decreasing-Load Test

**§ 802.1 Qualified laboratories.**

(a) *Metrology laboratories.* (1) Any State metrology laboratory currently approved by the NBS ongoing certification program having auditing capability is automatically approved by the Service.

(2) Any county or city weights and measures jurisdiction approved by NBS or by their respective NBS-Certified State laboratory as being equipped with appropriate traceable standards and trained staff to provide valid calibration is approved by the Service. The State approval may be documented by a certificate or letter. The jurisdiction must be equipped to provide suitable certification documentation.

(3) Any commercial industrial laboratory primarily involved in the business of sealing and calibrating test weights (standards) will be approved by the Service provided:

(i) It requests written authority to perform tolerance testing of weights used within the Service's program(s) through their approved State jurisdiction. Copies of its request and written reference regarding the State decision shall be provided to the Service. A positive decision by the State will be required as a prerequisite to the Service's granting approval to any commercial laboratory to tolerance test the weights used in testing scales under the jurisdiction of the Service;

(ii) It has NBS traceable standards (through the State) and trained staff to perform calibrations in a manner prescribed by NBS and/or the State;

(iii) It is equipped to provide suitable certification documentation;

(iv) It permits the Service to make onsite visits to laboratory testing space.

(4) Approval of the commercial industrial laboratory will be at the Service's discretion. Once it has obtained approval, the commercial industrial laboratory maintains its site in a manner prescribed by the State and the Service.

(b) *Type evaluation laboratories.* Any State measurement laboratory currently certified by NBS in accordance with its program for the Certification of Capability of State Measurement Laboratories to conduct evaluations under the National Type Evaluation Program is approved by the Service.

(Approved by the Office of Management and Budget under control number 0580-0011)

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